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8

9 **UNITED STATES DISTRICT COURT**
10 **NORTHERN DISTRICT OF CALIFORNIA**
11 **SAN FRANCISCO DIVISION**

12
13 WINERY EXCHANGE, INC.,

14 Plaintiff,

15 vs.

16 7-ELEVEN, INC., a Texas corporation;
and DOES 1 through 10,

17 Defendants.
18

Case No. CV11-6325-EMC

**STIPULATION OF DISMISSAL UNDER
FED. R. CIV. P. 41(a)(1) ; ORDER**

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Plaintiff Winery Exchange, Inc. (“WX”) and Defendant 7-Eleven, Inc. (“7-Eleven”), by their respective counsel, hereby stipulate to dismiss this entire action with prejudice, without costs or attorneys’ fees to WX or 7-Eleven and with neither WX or 7-Eleven as a prevailing party.

Dated: December 14, 2012.

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WINSTON & STRAWN LLP

ARNOLD & PORTER LLP

By: /s/ Erin R. Ranahan
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By: /s/ James F. Speyer
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John D. Lombardo
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7-ELEVEN, INC.

IT IS SO ORDERED. The Court of the Clerk is directed to close this case.

Edward M. Chen
U.S. District Judge

